

**ATTORNEY DOCKET NO. 01231.0023U2
Application No. 10/563,728**

Remarks

Claims 1-10 are pending. Claims 11-16 have been canceled.

Restriction Requirement

The Office Action requires restriction to one of the following two groups of claims:

Group I: Claims 1-10, drawn to a method of using a vaccinia virus having an inactivation mutation in an interferon resistance gene, and

Group II: Claims 11-16, drawn to a vaccinia virus having an inactivation mutation in an interferon resistance gene.

As required in response to the Restriction Requirement, Applicants elect Group I (claims 1-10). In order to facilitate prosecution, claims 11-16 (Group II) have been canceled.

The Office Action also required election of a species for the genes having the inactivation mutation from among E3L, K3L, or a combination thereof. In response, applicants elect for examination of E3L with traverse.

Favorable consideration of claims 1-10 is earnestly solicited.

A Credit Card Payment authorizing payment in the amount of \$60.00, representing the fee for a small entity under 37 C.F.R. § 1.17(a)(1) for a One Month Extension of Time, and a Request for Extension of Time are hereby enclosed. This amount is believed to be correct;

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however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

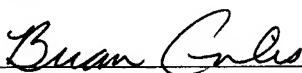


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CERTIFICATE OF EFS-WEB TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted by EFS-WEB on the date indicated below.



P. Brian Giles, Ph.D. 5/2/07

Date